

HOUSE BILL 301
By Davis

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10, Part 2; Title 3, Chapter 16, Part 1; Title 3, Chapter 2, Part 1 and Section 8-44-102, relative to certain state public officials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 3, Chapter 16, Part 1, is amended by adding the following language as a new section to be designated as follows:

Section 3-16-105. The office of legislative information systems for the general assembly shall develop a computer program which will enable all roll-call votes taken on a bill or resolution by a subcommittee or committee of the general assembly or a roll-call vote of the senate or the house of representatives of the general assembly to be posted in a timely fashion on the internet through the website maintained by the general assembly. In developing the program, the director of such office shall consult with the speakers of the house and the senate to determine the most efficient manner to accomplish such posting. The posting of such votes shall be implemented beginning with the second session of the One Hundred Third General Assembly.

SECTION 2. Tennessee Code Annotated, Title 3, Chapter 2, Part 1, is amended by adding the following language as a new section to be designated as follows:

Section 3-2-113.

(a) All votes constituting final action on a bill or resolution by a subcommittee or ad hoc, special or standing committee of the general assembly shall be by roll-call vote. The secretary of such committee or subcommittee shall call the roll and record the member's vote, orally announcing the results of such votes cast on the question.

(b) Beginning with the second session of the One Hundred Third General Assembly all roll-call votes taken on a bill or resolution by a subcommittee or committee of the general assembly or a roll-call vote of the senate or the house of representatives of the general assembly shall be posted in a timely fashion on the internet through the website maintained by the general assembly. Such action shall be posted within twenty-four (24) hours of the vote taken on the bill or resolution.

SECTION 3. Tennessee Code Annotated, Section 8-44-102(b)(1)(A), is amended by adding the language, "including the general assembly or a committee, subcommittee or ad hoc committee thereof," between the words "members of any public body" and "which consists".

SECTION 4. Tennessee Code Annotated, Section 8-44-102(b)(2), is amended by adding the following language at the end of the subdivision:

With respect to meetings conducted by the general assembly or by a committee, subcommittee or ad hoc committee thereof, the term "meeting" does not include discussions held by members of such bodies if a quorum thereof is not present at any time during which members of such bodies are meeting together.

SECTION 5. Tennessee Code Annotated, Section 8-44-102(a), is amended by adding the following language at the end of the subsection:

Provided, however, the authority of Article II, Section 22 of the Tennessee Constitution which requires committees of the whole of each house to be kept open unless "the business shall be such as ought to be kept secret" shall not be construed as applying to individual standing committees of the house or senate or subcommittees of a

standing committee or ad hoc committees of the general assembly as such committees, standing or ad hoc committees are not committees of the whole; provided further, the authority of Article II, Section 12 of the Tennessee Constitution giving the general assembly "all other powers necessary for a branch of the Legislature for a free State," shall not be construed in any manner to permit a standing committee of the house or senate or subcommittees of a standing committee or ad hoc committees of the general assembly created by a specific house of the general assembly to hold meetings that are not open to the public at all times.

SECTION 6. Tennessee Code Annotated, Section 2-10-206, is amended by deleting the word "and" at the end of subdivision (8); by deleting the period at the end of subdivision (9) and substituting instead a semicolon and the word "and"; and by adding the following language as a new subdivision to be designated as follows:

(10) Make the contribution and expenditure information in all statements, all addenda to the statements and all amended statements that are filed with the registry available online to the public by any means that are searchable, viewable and accessible in a read-only format through the internet.

SECTION 7. Tennessee Code Annotated, Title 2, Chapter 10, Part 2, is amended by adding the following language as a new section to be designated as indicated:

2-10-211. (a) Within five (5) business days after a statement, or addenda or amendment to such statement, filed by a candidate for state public office or political campaign committee in a state election is received by the registry, the registry shall make available online to the public through the internet the contribution and expenditure information in that statement. Provided, however, the registry shall not make such information available online to the public through the internet for any candidate until the registry is able to make such information available for all candidates for a particular office. As soon as the registry has such information available, the registry shall

simultaneously make available online to the public through the internet the information for all candidates for a particular office.

(b) The requirements of § 2-10-111 shall not apply to information accessed by the public through the internet under the provisions of subsection (a).

SECTION 8. Sections 3, 4 and 5 shall take effect upon becoming a law, the public welfare requiring it. For purposes of beginning the implementation process, Sections 1, 2, 6 and 7 shall take effect upon becoming a law, the public welfare requiring it. Sections 1 and 2 shall be implemented on the date provided in such sections. Sections 6 and 7 shall be implemented as soon as the program is available but not later than January 1, 2004.